

ASSEMBLY BILL

No. 741

Introduced by Assembly Member Huffman

February 17, 2011

An act to add Section 5465 to the Health and Safety Code, relating to wastewater.

LEGISLATIVE COUNSEL'S DIGEST

AB 741, as introduced, Huffman. Onsite wastewater disposal conversion.

Existing law prohibits the discharge of sewage or other waste, or the effluent of treated sewage or other waste, in any manner which will result in contamination, pollution, or a nuisance. Under existing law, when the State Department of Public Health or any local health officer finds that a contamination exists, the department or the officer is required to order the contamination abated, as provided.

Under existing law, an owner or reputed owner of property included within an assessment district for construction of a main trunkline or collector sewer lines may request the governing board to construct all necessary plumbing to connect his or her property to the adjoining public sewer system, the cost of the which constitutes a lien on the property.

This bill would authorize specified entities, as defined, to use this provision for the purpose of converting properties from onsite septic systems and connecting them to the sewer system.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5465 is added to the Health and Safety
2 Code, to read:

3 5465. (a) The procedures specified in this section may be used
4 by a public agency that is an entity, as defined in Section 5470.

5 (b) An entity may use the procedures specified in Section 5464
6 for the purpose of converting properties from onsite septic systems
7 and connecting them to a sewer system, whether or not an order
8 or other action shall have been issued or taken for an abatement
9 of contamination created by sewage disposal. The conversion
10 improvements and costs may include, but are not limited to, pipes,
11 pumps and other equipment, septic system abandonment, and
12 associated sewage treatment capacity.

13 (c) For purposes of this section, and in addition to any other
14 power, an entity may exercise the powers specified in Article 4
15 (commencing with Section 5470).

16 (d) The authority granted by this section shall be in addition to,
17 shall not be in derogation of, and shall not affect, any authority
18 granted by other law relating to recovering the cost incurred by an
19 entity for connecting properties to the public sewer system, or the
20 entity's exercise of powers pursuant to any other law. This section
21 shall be deemed to provide a complete and supplemental method
22 for exercising the powers authorized by this section, and shall be
23 deemed supplemental to the powers conferred by other applicable
24 laws.

25 (e) For purposes of this section, the following definitions shall
26 apply:

27 (1) "Assessment district" as used in statutes referenced in this
28 section also means an improvement district or any other area served
29 by the entity's sewer collection system.

30 (2) "Governing board" and "governing body" mean the
31 governing body of the entity.

32 (3) "Ordinance" as used in statutes referenced in this section
33 also means a resolution.

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